

DISTRICT COURT OF THE UNITED STATES  
 SOUTHERN DISTRICT OF NEW YORK

JOE HAND PROMOTIONS, INC.

~ vs ~

RICARDO MARTINEZ, ET AL

Plaintiff (s)  
 Petitioner (s)

Defendant (s)  
 Respondent (s)

Trans. #: 20071236  
 Date Filed: 07/31/2007  
 Docket/Index #: 07 CIV 6907  
 Witness Fee: \$0.00  
 File: No Court Date:  
 Client Ref #: 05-7-S04  
 MOUNTAIN SUPPORT SERVICES, INC.  
 1 TERRACE HILL  
 ELLENVILLE NY 12428

## STATE OF NEW YORK: COUNTY OF SUFFOLK :SS:

William Morrison, BEING DULY SWORN DEPOSES AND SAYS DEONENT IS NOT A PARTY TO THIS ACTION AND IS OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on August 18, 2007 at 08:55 AM, at 1203 FINDLAY AVENUE, APT. 33A, BRONX, NY 10456  
 deponent served the within SUMMONS AND COMPLAINT IN A CIVIL ACTION  
 on RICARDO MARTINEZ defendant therein named.

## INDIVIDUAL

By personally delivering to and leaving with said \_\_\_\_\_ a true copy thereof,  
 And that he knew the person so served mentioned and described in said \_\_\_\_\_

Defendant was identified by self admission

## CORPORATION

By delivering to and leaving with \_\_\_\_\_ at \_\_\_\_\_, and that he knew the person so served to be AUTHORIZED to accept service.

*Service was made in the following manner after your deponent was unable with due diligence to serve the defendant in person:*

SUITABLE  
AGE PERSON

By delivering a true copy thereof to and leaving with MARTA URIBE CO-TENANT, a person of suitable age and discretion at 1203

FINDLAY AVENUE, APT. 33A, BRONX, NY 10456 the said premise being the defendants / respondents usual place of abode

within the state of New York.

AFFIXING TO  
DOOR, ETC.

By affixing a true copy thereof to the door of the said premises, the same being the defendant's \_\_\_\_\_ within the State of New York.

## MAILING

Deponent completed service under the last two sections by depositing a true copy of the SUMMONS AND COMPLAINT IN A CIVIL ACTION

in a postpaid, properly addressed envelope in an official depository under the exclusive care and custody of the United States Post Office  
 in the State of New York, on August 20, 2007 to the Above Address  
 FIRST CLASS MAIL

PREVIOUS  
ATTEMPTS

Deponent had previously attempted to serve the above named defendant/respondent.

## A DESCRIPTION OF THE DEFENDANT OR OTHER PERSON SERVED ON BEHALF OF THE DEFENDANT IS AS FOLLOWS:

Approximate age 35 Approximate weight 125 Approximate height 5'3" Sex Female

Color of skin TAN Color of Hair BROWN Other \_\_\_\_\_

Deponent spoke with Person Served \_\_\_\_\_ who confirmed non-military status of the defendant. The person spoken to stated the defendant  
 was not in the military service of the United States government or on active duty in the military service in the state of New York.

Sworn to before me this 08/25/2007

William Morrison

William Morrison 870436

Vincent J. Gillis

VINCENT J. GILLIS

Notary Public State of New York

No. 01GM4984594

Qualified In Suffolk County

Commission Expires July 29, 2011

ORIGINAL

AO 440 (Rev. 8/01) Summons in a Civil Action

## UNITED STATES DISTRICT COURT

Southern

District of

New York

JOE HAND PROMOTIONS, INC., as  
 Broadcast Licensee of the June 11, 2005  
 Tyson/McBride Program,

Plaintiff,  
 v.

RICARDO MARTINEZ, Individually and d/b/a LUCKY 7,  
 and LUCKY 7,

Defendants.

## SUMMONS IN A CIVIL ACTION

CASE NUMBER:

07 CIV 6907

JUDGE DANIELS

TO: (Name and address of Defendant)

RICARDO MARTINEZ, Individually and d/b/a LUCKY 7  
 1203 Findlay Avenue  
 Apt. 33A  
 Bronx, New York 10456-4143

Our File No. 05-7-S04

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)  
 LONSTEIN LAW OFFICE, P.C.  
 1 Terrace Hill, P.O. Box 351  
 Ellenville, New York 12428  
 Tel. (845) 647-8500

an answer to the complaint which is served on you with this summons, within twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

CLERK

*Marcos Gutierrez*

DATE

'JUL 31 2007'